

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,  
  
Debtors.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY  
("PREPA"),  
  
Debtor.

PROMESA  
Title III

No. 17 BK 4780-LTS

**Re: ECF Nos. 1074, 1076**

**This Urgent Motion relates to  
PREPA and shall be filed in  
Lead Case No. 17 BK 3283-LTS  
and Case No. 17 BK 4780-LTS.**

**URGENT CONSENTED MOTION FOR EXTENSION  
OF DEADLINES AND ADJOURNING HEARING ON  
MARRERO PLAINTIFFS' MOTION FOR RELIEF FROM AUTOMATIC STAY**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Court Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), on behalf of the Puerto Rico Electric Power Authority (the “Debtor” or “PREPA”), pursuant to the authority granted to it under the *Enabling Act of the Fiscal Agency and Financial Advisory Authority*, Act 2-2017, respectfully submit this urgent consented motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), adjourning the hearing on the *Marrero Plaintiffs’ Motion for Relief from Automatic Stay* [ECF No. 1074 in Case No. 17-4780] (the “Motion”) and extending the deadlines set forth in the *Order Scheduling Briefing of Marrero Plaintiffs’ Motion for Relief From Automatic Stay* [ECF No. 1076 in Case No. 17-4780] (the “Scheduling Order”).<sup>2</sup>

### **Request for Relief**

1. On February 8, 2019, Anne Catesby Jones and Jorge Valdes Llauger, and the class they represent (collectively, “Movants”) filed the Motion, seeking relief from the automatic stay to allow the case captioned *Marrero-Rolon, et al. v. Autoridad de Energia Electrica, et al.*, Case No. 15-01167 (JAG) to proceed before the United States District Court for the District of Puerto Rico, and requesting the Motion be heard at the March 13, 2019 omnibus hearing.

2. On February 11, 2019, the Court entered the Scheduling Order, which provides that opposition papers to the Motion must be filed by February 22, 2019, and Movants’ reply papers must be filed by March 1, 2019.

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<sup>2</sup> The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the Debtors’ representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), 48 U.S.C. §§ 2101-2241, has authorized AAFAF to file this urgent consented motion on behalf of PREPA.

3. The Debtor and Movants have agreed to adjourn the hearing on the Motion to the April 24, 2019 omnibus hearing, and have agreed to the following extensions of the deadlines set forth in the Scheduling Order:

- The deadline to file oppositions to the Motion, or to otherwise respond, shall be extended to **March 8, 2019**.
- The deadline for Movants to file a reply to any oppositions shall be extended to **March 22, 2019**.

4. Pursuant to Paragraph 1.H of the *Eighth Amended Notice, Case Management and Administrative Procedures* [ECF No. 4866-1 in Case No 17-3283] (the “Case Management Procedures”), the parties hereby certify that they have carefully examined the matter and concluded that there is a true need for an urgent motion; they have not created the urgency through any lack of due diligence; have made a bona fide effort to resolve the matter without a hearing; have made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and no party opposes the relief requested herein.

#### **Notice**

5. The Debtor has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors’ bonds; (c) counsel to the statutory committees appointed in these Title III cases; (d) the Office of the United States Attorney for the District of Puerto Rico; (e) counsel to the Oversight Board; (f) the Puerto Rico Department of Justice; (g) the Other Interested Parties;<sup>3</sup> (h) all parties filing a

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<sup>3</sup> The “Other Interested Parties” include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

notice of appearance in these Title III cases; and (j) Movants. A copy of the motion is also available on the Debtors' case website at <https://cases.primeclerk.com/puertorico/>.

6. The Debtor submits that, in light of the nature of the relief requested, no other or further notice need be given.

*[Remainder of Page Left Intentionally Blank]*

**WHEREFORE**, the Debtor respectfully request the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: February 22, 2019  
San Juan, Puerto Rico

**THE PUERTO RICO FISCAL AGENCY  
AND ADVISORY AUTHORITY, as Fiscal  
Agent for PREPA**

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**THE PUERTO RICO ELECTRIC  
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**Exhibit A**

**Proposed Order**

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>4</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY  
("PREPA"),

Debtor.

PROMESA

Title III

No. 17 BK 4780-LTS

**Re: ECF Nos. 1074, 1076**

**This Order relates to PREPA  
and shall be filed in Lead Case  
No. 17 BK 3283-LTS and Case  
No. 17 BK 4780-LTS.**

**ORDER EXTENDING DEADLINES UNDER ORDER SCHEDULING BRIEFING  
OF MARRERO PLAINTIFFS' MOTION FOR RELIEF FROM AUTOMATIC STAY**

Upon the *Urgent Consented Motion for Extension of Deadlines and Adjourning Hearing on Marrero Plaintiffs' Motion for Relief from Automatic Stay* (the "Extension Motion");<sup>5</sup> and the Court having found it has subject matter jurisdiction over this matter pursuant to PROMESA

<sup>4</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>5</sup> Capitalized terms used but not otherwise defined herein have the meanings given to them in the Extension Motion.

section 306; and it appearing that venue in this district is proper pursuant to PROMESA section 307; and the Court having found that the relief requested in the Extension Motion is in the best interests of the Debtor and Movants; and the Court having found that the Debtor provided adequate and appropriate notice of the Extension Motion under the circumstances and that no other or further notice is required; and the Court having reviewed the Extension Motion; and the Court having determined that the factual bases set forth in the Extension Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Extension Motion is granted as set forth herein.<sup>6</sup>
2. The deadline to file oppositions to the *Marrero Plaintiffs' Motion for Relief from Automatic Stay* [ECF No. 1074 in Case No. 17-4780], or to otherwise respond, shall be extended to **March 8, 2019**.
3. The deadline for Movant to file a reply to any oppositions shall be extended to **March 22, 2019**.
4. This Order resolves docket entry nos. \_\_\_\_\_ in Case Nos. 17-3283-LTS and 17-3567-LTS, respectively.

Dated: \_\_\_\_\_, 2019

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HONORABLE LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE

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<sup>6</sup> The request for an extension of the briefing schedule is deemed to be consent to an extension of the period referenced in 11 U.S.C. § 362(e)(1) pending the Court's determination of the Motion.